

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re

Chapter 11

GAWKER MEDIA LLC, *et al.*

Case No. 16-11700 (SMB)

Debtors.

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DECLARATION OF ANDREW G. CELLI, JR. IN SUPPORT OF MOTION TO SEAL

ANDREW G. CELLI, JR. declares, under penalty of perjury as follows:

1. I am a partner at the law firm of Emery Celli Brinckerhoff & Abady LLP, attorneys for Claimants. Claimants are two persons who wish to file Proofs of Claim in the above-captioned matter under seal in order to preserve claims against the Debtors while protecting their private and confidential information.

2. I submit this declaration in furtherance of the Claimants' *ex parte* submission to this Court, made pursuant to this Court's rules, on Tuesday, September 27, 2016, which provided the factual basis for sealing of the Claimants' Proofs of Claim. The *ex parte* submission also contains proposed Proofs of Claim for each of the two Claimants, in both redacted and un-redacted forms.

3. The Claimants each have suffered personal injuries as a result of conduct by the Debtors, and the Proofs of Claim that each seeks to file under seal contain and reference private information and confidential health information subject to the Health Insurance Portability and Accountability Act (HIPAA).

4. The Court has the authority under the Federal Rules of Bankruptcy Procedure allow for sealed filings. Fed. R. Bankr. P. 9018. Courts recognize that a proof of

claim may be filed under seal under such circumstances. *See, e.g., In re Soundview Elite Ltd.*, No. 13-13098, 2014 WL 6850350, at *10 (Bankr. S.D.N.Y. Nov. 17, 2014); *In re Cordier*, No. 08-20298, 2009 WL 890604, at *4-5 (Bankr. D. Conn. Mar. 27, 2009); *In re Ortiz*, 477 B.R. 714, 725 (Bankr. E.D. Wisc. 2012).

5. For the foregoing reasons, and those set forth in the *ex parte* submission of September 27, 2016, Claimants request that this Court seal the application submitted to this Court *ex parte* on Tuesday, September 27, 2016, grant leave of the Court for Claimants to file the Proofs of Claim under seal, and grant other relief as this Court may deem just and proper.

Dated: New York, New York
September 29, 2016

/s
ANDREW G. CELLI, JR.